IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO.1163 OF 2002

IN

NOTICE OF MOTION NO.903 OF 2002

IN

SUIT NO.1008 OF 2002

1.Star India Pvt. Ltd. ...Appellant.

vs.

1.Leo Burnett(India) Pvt. Ltd.
And another. ...Respondents.

Mr.Ravi Kadam, Advocate General with Mr.S.Kadam & Ms.Shobha Khavnekar i/b. M/s.Kadam & Co., for Appellant.

Mr.H.Raithathha i/b. RMG Law Associates, for Respondents.

CORAM: D.K.DESHMUKH &

J.H.BHATIA, JJ.

DATED: 1st November,2007.

P.C.:-

1. The learned Counsel appearing for respondents who are defendants in the suit states that the respondents hereby declare and and undertake that they shall not infringe the plaintiff's copyright in the serial or broadcast or communicate the commercial in public under the commercial “Kyun Ki Bahu Bhi Kabi Sans Banegi” or any part thereof and shall also not in any manner use the logo and title of the said serial “Kyunki Sans bhi kabhi bahu this” as the part of the commercial of the Respondents in any form. The statement is accepted. In view this statement, by consent of parties, the suit of the plaintiff i.e. Suit no.1008 of 2002 is decreed in terms of prayer clause (a) of the suit. As a consequence now, the appeal wherein the interim order passed by the learned Single Judge is challenged, is rendered infructuous. The appeal is disposed of, as such.

(D.K.DESHMUKH, J.)

(J.H.BHATIA, J.)